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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,576	07/24/2001	John Thomas Allen	SUREB-57333	6668
39607	7590	03/24/2008	EXAMINER	
<b>PETER K HAHN</b> LUCE, FORWARD, HAMILTON, SCRIPPS, LLP. 600 WEST BROADWAY SUITE 2600 SAN DIEGO, CA 92101			ART UNIT	PAPER NUMBER

DATE MAILED: 03/24/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR  
41.37(c)

Each ground of rejection must be treated under a separate heading. For each ground of rejection applying to two or more claims, the claims may be argued separately or as a group. Any claim argued separately should be placed under a subheading identifying the claim by number. A statement which merely points out what a claim recites will not be considered an argument for separate patentability of the claim. See 37 CFR 41.37(c)(1)(vii).

*The previous Notification of Non-Compliant Appeal Brief noted in Box 6 that claims should not be argued under multiple headings.*

Appellant is encouraged to make the following changes in order to be in compliance.

**(6)     Grounds of Rejection to be Reviewed on Appeal**

The statement of claims is substantially correct. Appellant has cited claims 1, 3, 4, 6, 7, and 9-52 as being rejected over Doi and Ichihara.

It should be corrected to "claims 1, 3, 4, 6, 7, 9-15, 17-35, and 37-52".

(7) **Argument**

Applicant discusses the rejection of the claims in section 7A, 7B, and again in section 7D.

As set forth in the previous Notice of Non-Compliant Appeal Brief, this is improper.

The proper means of setting forth the argument is as follows:

Make a one-sentence statement of the first grounds of rejection including the claims rejected, the statute, and the references. This statement should be in **BOLD** print.

Next, present Appellant's arguments why the rejection cannot be sustained. It is important that *no other headings* be included in this section of arguments. In the instant Brief, there are multiple headings under the Arguments section. This is *improper*. It is further noted that on page 14 of the Brief, the statement of the claims in section 7D is incorrect. It should be claims 1, 3, 4, 7, 9-11, 13, 14, 17-34, and 37-52.

For the second grounds of rejection, again make a one-sentence statement of the grounds including the claims rejected, the statute, and the references. Again, this statement should be in bold print. As before, the only information included under this heading should be argument. No other headings should be included.

Appellant is encouraged to contact the examiner of record if he is unclear on how to proceed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leigh McKane whose telephone number is 571-272-1275. The examiner can normally be reached on Monday-Friday (5:30 am-2:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on 571-272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leigh McKane/  
Primary Examiner, Art Unit 1797

elm  
17 March 2008